IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CRIMINAL APPELLATE JURISDICTION

CRIMINAL APPLICATION NO.6874 OF 2005

Kumar Brahmadev Mane. ... Applicant
Versus.
The State of Maharashtra. ... Respondents.

Shri A.P.Mundargi, Senior Advocate i/by Shri P.P.Runwal
for the Applicant.

Ms.M.H.Mhatre, A.P.P. for the Respondent.

CORAM : ABHAY S. OKA, J.

DATED : 25th October, 2005.

P.C.:

1. Heard the learned Senior Counsel appearing for the Applicant and the learned A.P.P. for the State. This is an application for anticipatory bail. The apprehension is that the Applicant will be arrested in connection with the offences punishable under sections 3, 7 and 8 of the Essential Commodities Act. The learned A.P.P. on instructions of the Investigating Officer has fairly stated that there is no material available as of today requiring custodial interrogation of the Applicant. In view of this statement, the following order is passed:

(i) In the event of the arrest of the Applicant in connection with C.R.No.3046/2005 registered with Vijapur Naka Police

Station, Dist.Solapur, the Applicant shall be enlarged on bail subject to furnishing P.R.Bond in the sum of Rs.10,000/- with one or two sureties in the like amount.

(ii) The Bail is granted subject to condition that the Applicant will attend the concerned Police Station as and when called upon to do so till filing of the charge sheet and will cooperate for investigation.

(iii) The Bail is granted subject to condition that the Applicant shall not, directly or indirectly, make any inducement, threat or promise to any person acquainted with the facts of accusation against him so as to dissuade him from disclosing such facts to the Court or to the Police Officer/ Investigating Agency. The Applicant shall not tamper with the prosecution evidence.

(iv) Any observation made in this order shall not be construed as any finding or any expression of opinion on the merits of the case at the time of trial.

(v) This order will enure to the benefit of the

Applicant only till charge sheet is filed. Thereafter he will be free to apply to the appropriate Court for appropriate relief.

(vi) Application is disposed of in above terms.

(vii) The parties to act upon an authenticated copy of this order.

Judge.